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CENTRAL FAX CENTER****AUG 18 2006****REMARKS****I. Status of the Claims**

Claims 1-2, 5-6, 11-12, 16-17, 20-21, and 24-30 are currently pending in the Application. Claims 1, 11, and 16 are in independent format. Applicant has amended each independent claim 1, 11, and 16, and cancelled claims 3-4, 13-14, and 18-19, herein.

The present Response is intended to be fully responsive to the rejections raised by the Examiner and is believed to place the application in condition for allowance. Further, the Applicant does not concede any of the Examiner's comments not particularly addressed. Favorable reconsideration and allowance of the application is respectfully requested.

II. Claim Amendments

Each of Applicant's independent claims now include amendments directed to categorizing a call. In particular, Applicant has amended independent claims 1, 11, and 16 to include the recitation "wherein the prompt presents the user with categorization choices of at least business and personal, and requests the user to select one of the choices as a categorization of the call as either business or personal." Claim 1 also now includes the recitation "receiving from the user, in response to the prompt, a selection of either business or personal as the categorization of the call," and claims 11 and 16 now include the recitation "to then receive via the user-input mechanism a selection of either business or personal as the categorization of the call."

III. Responses to Claim Rejections

The Examiner rejected claims 1-6, 11-14, 16-20, 24, and 26 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent Application Publication No. 2005/0043065 ("Bekanich") in view of EP1028578 ("Henderson"). The Examiner also rejected claims 21, 25, and 27 under section 103(a) as being allegedly unpatentable over Bekanich in view of Henderson, and further in view of U.S. Patent No. 6,775,772 ("Binding"). The Examiner also rejected claims 28-30 under section 103(a) as being allegedly unpatentable over Bekanich in view of Henderson, and further in view of Binding.

Applicant submits that these rejections are improper and should be withdrawn because Bekanich is not prior art for the purpose the Examiner cited it. The filing date of Bekanich is July 8, 2004, which is after the filing date of the present application (January 12, 2004). Bekanich claims priority to U.S. Provisional Application No. 60/485,128, filed July 8, 2003 ("the '128 application"). However, a review of the specification of the '128 application (accessible on PAIR), as well as a review of the attachments to the '128 application (entitled AIRTIME-MANAGER FOR ATTORNEYS; NEW PRODUCT DEVELOPMENT; and SOFTWARE) and a review of U.S. Application Serial No. 10/253,715 ("the '715 application") (all incorporated by reference into the '128 application and all also accessible on PAIR) reveals that the '128 application does not contain the disclosure to which the Examiner pointed in the subsequent Bekanich utility application publication. In particular, paragraphs 0019 and 0030-0033 of Bekanich, which the Examiner relied on for a disclosure of a "prompt requesting the user to categorize the call," Advisory Action, June 22, 2006, p. 2, are not present in the '128 application, the attachments to the '128 application, or the '715 application.

Moreover, each of Applicant's independent claims now include recitations clarifying that "the prompt presents the user with categorization choices of at least business and personal, and requests the user to select one of the choices as a categorization of the call as either business or personal." In contrast to each of Applicant's independent claims, neither the '128 application, the attachments to the '128 application, nor the '715 application teach or suggest a prompt that presents the user with categorization choices of at least business and personal, and requests the user to select one of the choices as a categorization of the call as either business or personal. Thus, with respect to independent claims 1, 11, and 16, Bekanich does not date back to July 8, 2003. Given that the filing date of Bekanich is after the filing date of the present application, Bekanich is not prior art under 35 U.S.C. § 103(a) for the purposes for which Examiner cited it. Applicant therefore submits that independent claims 1, 11, and 16 are allowable.

Applicant respectfully submits that the Examiner has not established the requisite *prima facie* case of obviousness of Applicant's independent claims 1, 11, and 16, for the reasons discussed above. Applicant points out that claims 2, 5-6, 12, 17, 20-21, and 24-30 depend from and include all of the limitations of claims 1, 11, and 16. Therefore, Applicant's dependent claims distinguish over the cited references for the same reasons discussed above with regard to independent claims 1, 11, and 16. Applicant respectfully submits that the Examiner has not established the requisite *prima facie* case of obviousness of the pending dependent claims.

CONCLUSION

In view of the foregoing, Applicant submits that all of the pending claims are in condition for allowance. Therefore, Applicant respectfully requests favorable reconsideration and

allowance of all of the claims. If the Examiner would like to discuss any aspect of this case, the Examiner is invited to telephone the undersigned at 312-913-0001.

Respectfully submitted,

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